



SGS/vel

PLEASE DATE, STAMP AND RETURN

The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Inventor: Cote et al.

Docket No: 1600/136

Title: Swabbable Luer-Activated Valve Art Unit: 3763

Serial/Patent No: 09/808,418

Examiner:

Filing/Issue Date: March 14, 2001

Date: Jan. 9, 2002

Express Mail No:

Documents:

- ☐ New Application Transmittal
- ☐ Provisional Application Cover Sheet
- ☐ Description - _____ pages
- ☐ Claims - _____ pages
- ☐ Abstract
- ☐ _____ sheets of drawings
 - ☐ formal ☐ informal
- ☐ Declaration & Power of Attorney
 - ☐ executed ☐ unexecuted
- ☐ Small Entity Statement
- ☐ Assignment/Recordation Form Cover Sheet
- ☐ Completion of Filing Requirements
- ☐ Request for Corrected Filing Receipt

- ☐ Amendment Transmittal
- ☐ Amendment (Preliminary)
- ☐ Response _____
- ☒ IDS & References - AA-FT
- ☐ Petition for _____ month Extension
- ☐ Transmittal of Formal Drawings
- ☐ Issue Fee Transmittal & Form PTOL-85b
- ☐ Payment of _____ Maintenance Fee
- ☐ Check in the amount of \$ _____

3763



Practitioner's Docket No. 1600/136

PATENT

#4 DS
RIVERS
2/25/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)

for _____
Title of invention

OR

In re application of: Cote et al.

Application No.: 09/808,418

Group Art Unit: 3763

Filed: March 14, 2001

Examiner: Not Assigned

For: SWABBABLE LUER-ACTIVATED VALVE

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant. (1) within three months of the filing date of a national application; (1) within three months of the date of entry of the national stage as set forth in § 1.491 In an International application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. § 1.97(b)

CERTIFICATE of MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

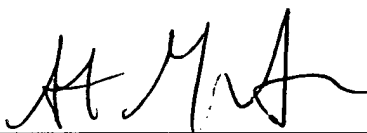
MAILING

FACSIMILE

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: January 9, 2002


Signature

Steven G. Saunders
(type or print name of person certifying)

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosures statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Reg. No.: 36,265


Signature of Practitioner

Tel. No.: 617/443-9292

Steven G. Saunders

Customer No.: 00-2101

Bromberg & Sunstein LLP
125 Summer Street, Boston, MA 02110

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]--page 2 of 2)



Practitioner's Docket No. 1600/136

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of _____

Inventor(s) _____

Title of invention _____

OR

In re application of: Cote et al.

Application No.: 09/808,418

Filed: March 14, 2001

For: SWABBABLE LUER-ACTIVATED VALVE

Group Art Unit: 3763

Examiner: Not Assigned

**Commissioner for Patents
Washington, D.C. 20231****INFORMATION DISCLOSURE STATEMENT****CERTIFICATE UNDER 37 C.F.R. § 1.8(a) and 1.10****(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)**37 C.F.R. § 1.10***

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ **(mandatory)**

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: January 9, 2002

Signature _____

Steven G. Saunders

(type or print name of person certifying)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

WARNING: "No information disclosure statement maybe filed in a provisional application." 37 C.F.R. § 1.51(d).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard *unused* sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Cote et. al. Atty Dkt: 1600/136
Serial No: 09/808,418 Art Unit.: 3763
Date Filed: March 14, 2001 Examiner:
Invention: Swabbable Luer-Activated Valve

**LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS'
INFORMATION DISCLOSURE STATEMENT****United States Patents**

<u>Exam. Init.</u>	<u>Ref. No.</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>
	AA	2,594,405	April 29, 1952	Deters	137/53
	AB	2,693,801	Nov. 9, 1954	Foreman	128/214
	AC	2,705,501	April 5, 1955	Fritzsche	137/113
	AD	2,756,740	July 31, 1956	Deane	128/1
	AE	2,899,975	Aug. 18, 1959	Fernandez	137/543.17
	AF	2,999,499	Sep. 12, 1961	Willet	128/214
	AG	3,087,492	April 30, 1963	Garth	128/350
	AH	3,105,511	Oct. 1, 1963	Murphy, Jr.	137/399
	AI	3,192,949	July 6, 1965	De See	137/540
	AJ	3,385,301	May 28, 1968	Harautuneian	128/349
	AK	3,399,677	Sept. 3, 1968	Gould, et al.	128/349
	AL	3,416,567	Dec. 17, 1968	Von Dardel et al.	137/604
	AM	3,506,005	April 14, 1970	Gilio et al.	128/214
	AN	3,538,950	Nov. 10, 1970	Porteners	137/608
	AO	3,570,484	March 16, 1971	Steer	128/214
	AP	3,572,375	March 23, 1971	Rosenberg	137/512
	AQ	3,726,282	April 10, 1973	Patel	128/349 BV
	AR	3,806,086	April 23, 1974	Cloyd	251/149.7
	AS	3,831,629	Aug. 27, 1974	Mackal et al.	137/525
	AT	3,923,065	Dec. 2, 1975	Nozick et al.	128/348
	AU	3,965,910	June 29, 1976	Fischer	128/349
	AV	3,994,293	Nov. 30, 1976	Farro	128/214 R
	AW	4,063,555	Dec. 20, 1977	Ulinder	128/214 R
	AX	4,094,195	June 13, 1978	Friswell et al.	73/422 GC
	AY	4,094,196	June 13, 1978	Friswell	73/422 GC
	AZ	4,116,201	Sep. 26, 1978	Shah	128/351
	BA	4,121,585	Oct. 24, 1978	Becker, Jr.	128/214 R
	BB	4,143,853	Mar. 13, 1979	Abramson	251/149
	BC	4,223,808	Sep. 23, 1980	Williams et al.	222/88
	BD	4,300,571	Nov. 17, 1981	Waldbillig	128/673
	BE	4,324,239	April 13, 1982	Gordon et al.	128/214 R

United States Patents

<u>Exam.</u> <u>Init.</u>	<u>Ref.</u> <u>No.</u>	<u>Document</u> <u>Number</u>	<u>Issue</u> <u>Date</u>	<u>Name</u>	<u>Class</u>
	BF	4,333,455	June 8, 1982	Bodicky	128/214.5
	BG	4,334,551	June 15, 1982	Pfister	137/614.03
	BH	4,344,435	Aug. 17, 1982	Aubin	128/350 R
	BI	4,387,879	June 14, 1983	Tauschinski	251/149.1
	BJ	4,401,432	Aug. 30, 1983	Schwartz	604/89
	BK	4,421,296	Dec. 20, 1983	Stephens	251/149.7
	BL	4,458,480	July 10, 1984	Irwin	60/39.63
	BM	4,496,348	Jan. 29, 1985	Genese et al.	604/167
	BN	4,498,658	Feb. 12, 1985	Mikiya	251/149.6
	BO	4,534,758	Aug. 13, 1985	Akers et al.	604/85
	BP	4,535,820	Aug. 20, 1985	Raines	137/854
	BQ	4,550,785	Nov. 5, 1985	Hibbard et al.	173/134
	BR	4,551,136	Nov. 5, 1985	Mandl	604/141
	BS	4,585,435	April 29, 1986	Vaillancourt	604/27
	BT	4,596,557	June 24, 1986	Pexa	604/86
	BU	4,611,973	Sep. 16, 1986	Birdwell	417/342
	BV	4,617,015	Oct. 14, 1986	Foltz	604/100
	BW	4,661,110	April 28, 1987	Fortier et al.	604/256
	BX	4,675,003	June 23, 1987	Hooven	604/9
	BY	4,681,132	July 21, 1987	Lardner	137/271
	BZ	4,683,905	Aug. 4, 1987	Vigneau et al.	137/327.1
	CA	4,683,916	Aug. 4, 1987	Raines	137/854
	CB	4,698,061	Oct. 6, 1987	Makaryk et al.	604/408
	CC	4,710,168	Dec. 12, 1987	Schwab et al.	604/99
	CD	4,712,583	Dec. 15, 1987	Pelmulder et al.	137/852
	CE	4,743,235	May 10, 1988	Waldbillig et al	604/250
	CF	4,745,950	May 24, 1988	Mathieu	137/798
	CG	4,749,003	June 7, 1988	Lesson	137/84
	CH	4,752,287	June 21, 1988	Kurtz et al.	604/993
	CI	4,752,292	June 21, 1988	Lopez et al.	604/244
	CJ	4,758,224	Jul. 19, 1988	Siposs	604/119
	CK	4,776,369	Oct. 11, 1988	Lardner et al.	137/515.5
	CL	4,809,679	March 7, 1989	Shimonaka et al.	128/4
	CM	4,816,020	March 28, 1989	Brownell	604/97
	CN	4,819,684	April 11, 1989	Zaugg et al.	137/112
	CO	4,850,978	July 25, 1989	Dudar et al.	604/201
	CP	4,874,377	Oct. 17, 1989	Newgard et al.	604/167
	CQ	4,915,687	April 10, 1990	Sivert	604/83
	CR	4,917,668	April 17, 1990	Haindl	604/167
	CS	4,935,010	June 19, 1990	Cox et al.	604/122
	CT	4,966,199	Oct. 30, 1990	Ruschke	137/843
	CU	5,006,114	April 9, 1991	Rogers et al.	604/167
	CV	5,041,087	Aug. 20, 1991	Loo et al.	604/83
	CW	5,048,537	Sep. 17, 1991	Messinger	128/673
	CX	5,049,128	Sep. 17, 1991	Duquette	604/83
	CY	5,059,175	Oct. 22, 1991	Hanover et al.	604/891.1

United States Patents

<u>Exam.</u> <u>Init.</u>	<u>Ref.</u> <u>No.</u>	<u>Document</u> <u>Number</u>	<u>Issue</u> <u>Date</u>	<u>Name</u>	<u>Class</u>
	CZ	5,080,654	Jan. 14, 1992	Picha et al.	604/167
	DA	5,085,645	Feb. 4, 1992	Purdy et al.	604/167
	DB	5,100,394	March 31, 1992	Dudar et al.	604/283
	DC	5,108,380	April 28, 1992	Herlitze et al.	604/283
	DD	5,147,333	Sep. 15, 1992	Raines	604/249
	DE	5,171,230	Dec. 15, 1992	Eland et al.	604/250
	DF	5,171,239	Dec. 15, 1992	Eland et al.	604/250
	DG	5,199,947	April 6, 1993	Lopez et al.	604/56
	DH	5,201,715	April 13, 1993	Masters	604/175
	DI	5,203,775	April 20, 1993	Frank et al.	604/256
	DJ	5,215,538	June 1, 1993	Larkin	604/249
	DK	5,221,271	June 22, 1993	Nicholson et al.	604/283
	DL	5,230,706	July 27, 1993	Duquette	604/83
	DM	5,242,393	Sept. 7, 1993	Brimhall et al.	604/86
	DN	5,242,432	Sept. 7, 1993	DeFrank	604/284
	DO	5,269,771	Dec. 14, 1993	Thomas et al.	604/213
	DP	5,280,876	Jan. 25, 1994	Atkins	251/149
	DQ	5,300,034	April 5, 1994	Behnke et al.	604/167
	DR	5,320,328	Jun. 14, 1994	Decloux et al.	251/326
	DS	5,330,435	July 19, 1994	Vaillancourt	604/167
	DT	5,349,984	Sept. 27, 1994	Weinheimer et al.	137/543.21
	DU	5,360,413	Nov. 1, 1994	Leason et al.	604/249
	DV	5,380,306	Jan. 10, 1995	Brinon	604/244
	DW	5,390,898	Feb. 21, 1995	Smedley et al.	251/149
	DX	5,401,255	Mar. 28, 1995	Sutherland et al.	604/247
	DY	5,439,451	Aug. 8, 1995	Collinson et al.	604/247
	DZ	5,458,640	Oct. 17, 1995	Gerrone	604/264
	EA	5,465,938	Nov. 14, 1995	Werge et al.	251/149.1
	EB	5,474,536	Dec. 12, 1995	Bonaldo	604/86
	EC	5,474,544	Dec. 12, 1995	Lynn	604/283
	ED	5,509,433	April 23, 1996	Paradis	137/1
	EE	5,509,912	Aril 23, 1996	Vaillancourt et al.	604/283
	EF	5,520,666	May 28, 1996	Choudhury et al.	604/283
	EG	5,533,708	July 9, 1996	Atkinson et al.	251/149.1
	EH	5,533,983	July 9, 1996	Haining	604/249
	EI	5,549,566	Aug. 27, 1996	Elias et al.	604/167
	EJ	5,569,209	Oct. 29, 1996	Roitman et al.	604/190
	EK	5,569,235	Oct. 29, 1996	Ross et al.	604/403
	EL	5,573,516	Nov. 12, 1996	Tyner	604/249
	EM	5,578,059	Nov. 26, 1996	Patzer	604/249
	EN	5,616,129	April 1, 1997	Mayer	604/167
	EO	5,616,130	Apr. 1, 1997	Mayer	604/167
	EP	5,620,434	April 15, 1997	Brony	604/406
	EQ	5,674,206	Oct. 7, 1997	Alton et al.	604/249
	ER	5,676,346	Oct. 14, 1997	Leinsing	251/149.1
	ES	5,685,866	Nov. 11, 1997	Lopez	604/249

United States Patents

<u>Exam.</u> <u>Init.</u>	<u>Ref.</u> <u>No.</u>	<u>Document</u> <u>Number</u>	<u>Issue</u> <u>Date</u>	<u>Name</u>	<u>Class</u>
	ET	5,694,686	Dec. 9, 1997	Lopez	29/890.126
	EU	5,695,466	Dec. 9, 1997	Lopez et al.	604/93
	EV	5,699,821	Dec. 23, 1997	Paradis	137/1
	EW	5,700,248	Dec. 23, 1997	Lopez	604/249
	EX	5,749,861	May 12, 1998	Guala et al.	604/249
	EY	5,806,831	Sep. 15, 1998	Paradis	251/149.1
	EZ	5,820,601	Oct. 13, 1998	Mayer	604/167
	FA	RE35,841	July 7, 1998	Frank et al.	604/256
	FB	5,921,264	Jul. 13, 1999	Paradis	137/15
	FC	6,029,946	Feb. 29, 2000	Doyle	251/149.1
	FD	6,036,171	Mar. 14, 2000	Weinheimer et al.	251/149.1
	FE	6,039,302	Mar. 21, 2000	Cote, Sr. et al	251/149
	FF	6,050,978	Apr. 18, 2000	Orr et al.	604/249
	FG	6,068,011	May 3, 2000	Paradis	137/1
	FH	6,089,541	Jul. 18, 2000	Weinheimer et al.	251/149
	FI	6,152,900	Nov. 28, 2000	Mayer	604/167
	FJ	6,245,048	Jun. 12, 2001	Fangrow et al	604/249
	FK	6,290,206	Sept. 18, 2001	Doyle	251/149.1

Foreign Patent Documents

<u>Exam.</u> <u>Init.</u>	<u>Ref.</u> <u>No.</u>	<u>Document</u> <u>Number</u>	<u>Issue</u> <u>Date</u>	<u>Country</u>
	FL	2 079 162 A	Jul. 4, 1980	UK
	FM	0 268 480 A1	May 25, 1988	EP
	FN	WO 83/ 02559	Aug. 4, 1983	WO
	FO	WO 93/11828	June 24, 1993	WO
	FP	WO 96/00107	Jan. 4, 1996	WO
	FQ	WO 97/39791	Oct. 30, 1997	PCT
	FR	WO 98/22178	May 28, 1998	PCT
	FS	WO 98/39594	Sept. 11, 1998	PCT
	FT	WO 00/44433	Aug. 3, 2000	PCT

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited

NOTE: "A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120." 37 C.F.R. § 1.98(d).

WARNING: "This exception to the requirement for copies of information does not apply to information which was cited in an international application under the Patent Cooperation Treaty." Notice of April 20, 1992 (1138 O.G. 37-41, 38)

WARNING: "Information which is cited or submitted to the Office in the parent application of a file wrapper continuing application under 37 C.F.R. 1.62 will be part of the file before the examiner and need not be resubmitted in the continuing application. Likewise, the examiner will consider information cited or submitted to the Office in a parent application when examining a continuing application and thus this information need not be resubmitted unless applicant desires the information to be printed on the patent." Notice of April 20, 1992 (1138 O.G. 37-41, 37)

WARNING: While a copy of a non-English language item of information need not be submitted, if it was previously submitted to, or cited by, the Office in a prior application, provided it is properly identified in this statement and this application relies on that earlier filing date under 35 U.S.C. 120, nevertheless, the requirement in § 1.98(a)(3) for a concise explanation of non-English language information would not be satisfied by a statement that a reference was cited in the prosecution of a parent application. The concise explanation must explain the relevance, as presently understood by the person designated in § 1.56(c) most knowledgeable about the content of the information. Notice of January 9, 1992, 1135 O.G. 13-25, at 20.

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application 09/479,327, filed on January 6, 2000, prior application 09/394,169, filed on September 13, 1999, and prior application 08/970,125, filed on November 13, 1997.

The following references were submitted to, and /or cited by, the Office in a prior application(s) and, therefore, are not required to be provided in this application:

AA-AQ, AS-CY, DA-DB, DD-DR, DU, DW-EA, EG- EQ, ES-FJ, FL-FT

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:

"A legible copy of.:

- (i) Each U.S. patent application publication and U.S. and foreign patent;
- (ii) Each publication or that portion which caused it to be listed,
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

Exception(s) to above:

- ☒ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type or print name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type or print name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
- ☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
- ☒ in the practitioner's file.

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SIGNATURE OF PRACTITIONER

Steven G. Saunders

(type or print name of person certifying)

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